



CERTIFICATE OF MAILING
37 C.F.R. § 1.8

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September 10, 2001

Date

Shelley P.M. Fussey

#5
11-1-81

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hills *et al.*

Serial No.: 09/856,400

Filed: May 22, 2001

For: Anti-Asthmatic Combinations Comprising
Surface Active Phospholipids

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: 4040.000300

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98 (a)(3), a concise explanation of the relevance of the submitted foreign language articles, as they are presently understood, is supplied. The explanations submitted herewith are as follows. For Reference B10, the entire U.S. patent counterpart to this German document is attached and listed on the 1449 as Reference A1. For References B7 and B11, English abstracts have been obtained and attached to front of the documents supplied. The English abstracts were each supplied by the U.K. law firm handling the European counterpart to the present application. The abstract for Reference B7 shows that it was obtained from esp@cenet database 12, and the abstract for Reference B11 shows that it was obtained from Derwents World Patent Index.

Reference C5 is the co-pending U.S. Application counterpart to the PCT Application made of record as Reference B3. Neither the undersigned representatives, nor the U.K. law firm handling the European counterpart to the present application, are representing the applicants in the prosecution of the U.S. Application disclosed as Reference C5.

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4040.000300.

Respectfully submitted,



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